



FISH AND WILDLIFE SERVICE

United States Department of the Interior

Eastern Washington Ecological Services Field Office

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March 5, 2001

MEMORANDUM

To: William D. Gray, Deputy Area Manager
Bureau of Reclamation, Ephrata, WA

From: Mark Miller, Supervisor, U. S. Fish and Wildlife Service,
Eastern Washington Ecological Services Office, Ephrata, WA

Subject: Section 7 Consultation for Proposed Resource Management Plans (RMP's) for
Potholes Reservoir and Banks Lake - Columbia Basin Project
FWS reference: 01-I-E0199

This is in regards to your memorandum of February 20, 2000, which we received in our office on February 28, 2001. You requested U. S. Fish and Wildlife Service (Service) concurrence with your determination that the Bureau of Reclamation's (Reclamation) Potholes Reservoir and Banks Lake RMPs "may affect, but are not likely to adversely affect" bald eagles. Your letter stated that the draft Environmental Impact Statements (EIS) for those two projects, which we received from Reclamation earlier, serve as the Biological Assessments (BA) for activities proposed by Reclamation. We note in the draft EIS's, that Reclamation would consult with the Service in the future for each of the individual development actions that may occur if the RMP is implemented. The Service does concur with your determinations of affect for the bald eagle from the proposed RMPs as currently described in the EISs.

This concludes informal consultation for species under the purview of the Service pursuant to Section 7 of the Endangered Species Act of 1973, as amended (Act). This project should be re-analyzed if new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; if the action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in this consultation; and/or, if a new species is listed or critical habitat is designated that may be affected by this project.

Should you have any additional questions regarding endangered species or your responsibilities under the Act, please contact Don Haley at (509) 754-8580.

Supervisor

CC: USFWS, Spokane, (Susan Martin)

**NO LONGER IN APPENDIX F - KEEPING IN CASE IT IS NEEDED
LATER**

APPENDIX F DRAFT BIOLOGICAL ASSESSMENT

BIOLOGICAL ASSESSMENT COVERING FEDERAL THREATENED AND ENDANGERED SPECIES FOR THE POTHOLE RESERVOIR AREA RESOURCE MANAGEMENT PLAN

INTRODUCTION

A biological assessment (BA) is required for Federal Activities (projects that are authorized, funded or carried out by a Federal Agency) under section 7 (c) of the Endangered Species Act, as amended, 1973. Federally listed threatened and endangered species are those plant and animal species formally listed by the U.S. Fish and Wildlife Service (USFWS) under authority of the Endangered Species Act of 1973, as amended. An endangered species is defined as one in danger of extinction throughout all or a significant portion of its range. A threatened species is defined as one likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range. Species proposed for listing are generally also covered in a BA.

PROJECT DESCRIPTION

The Bureau of Reclamation (Reclamation) is directing the development of a Resource Management Plan (RMP) and an Environmental Report (ER) for the Potholes Reservoir Management Area. Management issues are centered on the demand for recreational opportunities, conflicts between user groups, and the impact recreation has on natural resources.

The Potholes Reservoir has been covered by a Memorandum of Agreement since 1952. The agreement is between the Reclamation and the State of Washington as represented by the Washington State Department of Fish and Wildlife (WDFW), and the Washington State Department of Parks and Recreation (WDPR). The agreement essentially gives administrative responsibilities to the WDFW and WDPR for wildlife and recreation while Reclamation manages the reservoir water capacities and flows. The agreement is due to expire in the year 2002, at which time it is intended to be renegotiated. The Potholes RMP and ER will need to define the resources and their capabilities to sustain the current demand and potential for improvement and provide the framework for development of the new agreement. It is assumed the new agreement will be for another multi-year period but it is expected to be for a period less than fifty years.

METHODS

The USFWS, WDFW, and the Washington Department of Natural Resources (WNDR) were contacted for written documentation on threatened and endangered species potentially occurring in the project area. A search of the WDFW Nongame database, the Priority Habitats and Species database, and the Natural Heritage Data System at WNDR were searched for documented occurrences of federal endangered and threatened species in the project area. WDFW and other local biologists were contacted for specific information on species occurrence and use of the area. Potential habitat was assessed during two field visits and with the aid of aerial photography and consultation with local biologists.

SPECIES ACCOUNTS

The following accounts provide the protective status, general background information, and specific information on populations within the Potholes Management area. Background information includes general ecology, distribution, habitat preferences, and threats to the species' continued existence. Information on species occurrence in the project area was obtained from the available literature, the Washington State Natural Heritage Database, contacts with state and federal agencies, historical information, and past field surveys.

This biological assessment addresses two species: the bald eagle and Ute ladies'-tresses (*Spiranthes diluvialis*).

Bald Eagle (*Haliaeetus leucocephalus*)

Status: The bald eagle is federally listed in Washington State as threatened by the USFWS.

Background Information: The bald eagle is found breeding from central Alaska south through Canada and in the United States from coast to coast south to the Florida Keys, Texas, Arizona, New Mexico and into Baja California (AOU 1983). Bald eagles occur in Washington as residents near large waters west of the Cascade Mountains, with fewer breeding birds found in eastern Washington (Godrick and Milner 1991). Birds wintering in Washington are found on the Olympic Peninsula, San Juan Islands, the major tributaries of the Puget Sound, the Cowlitz and Willapa Rivers, and Hood Canal.

Habitat is primarily near seacoasts and rivers and lakes. They nest predominantly in large trees within a kilometer of water and away from human disturbances (Johnsgard 1990). Wintering

and nesting bald eagles are often observed perching on large trees and snags along rivers and streams. They forage on fish, waterfowl, small mammals, and carrion (USFWS 1986).

Nesting birds build their large stick nest in mature trees, which may be used in successive years. Courtship and nesting in Washington start around January or February. Eggs are laid in March or April with young hatching in April or May. The young fledge by mid-July but remain in the nest area for another month (Rodrick and Milner 1991).

Threats to bald eagles include human encroachment on nest sites, shooting, poisoning, and general habitat alteration.

Populations in Project area: Bald eagle numbers at Potholes Reservoir have increased significantly since a single bald eagle sighting in 1978 (O'Connell 1980). Currently, bald eagles can be observed foraging and roosting in the Potholes Reservoir from late October through March, some roost in large willows in the North Potholes Reservoir (Hill 1996). They feed primarily on waterfowl, and less on fish at the Potholes Reservoir because waterfowl are so abundant here. Eagles are often counted during aerial surveys for fall and winter waterfowl (Hill 1997). Up to 35 eagles have been observed perching on sand dune islands, willow trees and ice shelves in the Potholes Reservoir. The estimated winter population is between 20 and 35 birds (Friesz 1997). In years when the reservoir freezes over eagles tend to move to open water in the Columbia River. Bald eagles nest along the Columbia River and Banks Lake, however, no nests have yet been recorded in the vicinity of the Potholes Reservoir (Hill 1997).

Ute ladies'-tresses (*Spiranthes holzschulii*)

Status: Ute ladies'-tresses, a perennial orchid, was federally listed as Threatened in 1992.

Background: Its presence was confirmed in southeastern Idaho in 1996 along the upper Snake River and in northern Washington in 1997. Before these discoveries, Ute ladies'-tresses was known only from a few locations in Montana, Colorado, Wyoming, and Nebraska.

This orchid is a lowland species typically found in wetland and riparian areas including spring wetlands, mesic and wet meadows, river meanders, and flood plains (USFWS 1998). It occurs in moderate gradient streams and rivers in the transition zone between the mountains and plains. It has been found between 1500 and 7000 feet, the lower elevation in the more western part of its range. This species is generally found in full sun to partial shade in early- to mid-seral communities subject to flooding or periodic inundation. In these communities, early successional conditions are perpetuated as other vegetation is limited by natural disturbance.

Although the plant community composition and structure associated with this species differs from site to site, beaked spike rush (*Eleocharis rostellata*) appears to be dominant in occupied habitat in Washington and is a good indicator across its range (USFWS 1998). Species most commonly associated with the orchid include creeping bentgrass (*Agrostis stolonifera*), Baltic rush (*Juncus balticus*), long-styled rush (*Juncus longistylis*), bog orchid (*Habenaria hyperborea*), and scouring-rush (*Equisetum laevigatum*). Other species commonly associated include rushes (*Juncus* spp.), paint-brushes (*Castilleja* spp.), thinleaf alder saplings (*Alnus incana*), sweetclover (*Melilotus* spp.), sedges (*Carex* spp.), red clover (*Trifolium pratense*), and western goldenrod (*Solidago occidentalis*). Also, “scraggly” willow shrubs (*Salix exigua*), shrubs are commonly present in small numbers.

Populations in the Project Area: The probability is low that Ute ladies’-tresses occur in the study area due to the lack of appropriate habitat conditions. The USFWS (1998) states that Ute ladies’-tresses do not occur along slow meandering streams but in the flats - a good description of the streams near the area. Most wetlands within the project area are subject to long periods of inundation followed by severe drawdown during the irrigation season, another condition specifically discussed by the USFWS as inappropriate. Lastly, the microclimates and elevations found at Potholes Reservoir are generally not appropriate to the species.

CONCLUSION

These two species are expected to have a “no effect” determination. That determination will be made for the Final Environmental Impact Statement with coordination and consultation with the Fish and Wildlife Service.

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